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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 AKLILU YOHANNES,

10 Plaintiff,

11 v.

12 OLYMPIC COLLECTION INC. et al.,

13 Defendants.  
14

Case No. 2:17-CV-509-RSL

ORDER DENYING  
PLAINTIFF'S MOTION TO  
COMPEL

15 This matter comes before the Court on plaintiff Aklilu Yohannes' "Motion to Compel  
16 Nonparty Physicians Dental Credit Bureau." Dkt. #90.

17 **BACKGROUND**


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19 This case concerns an alleged debt owed from plaintiff to Baker Dental Implants &  
20 Periodontics ("Baker Dental"), dating back to 2005 or 2006. Plaintiff served nonparty  
21 Physicians Dental Credit Bureau ("PDCB") with a subpoena for the production of documents on  
22 March 1, 2019. See Ex. 1, Dkt. #90-3; see Ex. 2, Dkt. #90-4. Plaintiff claims that his account  
23 was assigned by Baker Dental to PDCB in August 2003. Dkt. #90 at 5; see Dkt. #98 at 3.  
24 Defendant Farooq Ansari was the president of PDCB at that time. Id. In December 2005, Baker  
25 Dental was sold, and its name was changed to Song Periodontics & Implants. Dkt. #98 at 3.  
26 Plaintiff seeks this production to "prove that neither Baker Dental nor Song Periodontics  
27 assigned his account to OCI [Olympic Collection Inc.] ... that OCI is not the assignee of his  
28 account with Baker Dental[,] [and that] therefore, OCI was not a real party in interest when it

1 filed the state court action against him.” Dkt. #90 at 5. He seeks records pertaining to the  
2 management of PDCB, contractual agreements between PDCB and Baker Dental or Song  
3 Periodontics, payments made by PDCB to Baker Dental or Song Periodontics, and various  
4 employee records. Ex. 1, Dkt. #90-3 at 10–12.

5 The Court has “broad discretion to manage discovery.” Avila v. Willits Envtl.  
6 Remediation Tr., 633 F.3d 828, 833 (9th Cir. 2011). PDCB has responded that it does not have  
7 any responsive documents relevant to Plaintiff’s subpoena requests. See Ex. 3, Dkt. #90-5; see  
8 Dkt. #95. A party cannot be “compelled to provide information that [it] does not have.” Silva v.  
9 McKenna, No. C11-5629 RBL/KLS, 2012 WL 1596971, at \*4 (W.D. Wash. May 7, 2012).

10 For all the foregoing reasons, plaintiff’s motion is DENIED.  
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12 DATED this 29<sup>th</sup> day of July, 2019.

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15 Robert S. Lasnik  
16 United States District Judge  
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